

2003 DRAFTING REQUEST

Bill

Received: **01/23/2004**

Received By: **dkennedy**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Gundrum (608) 267-5158**

By/Representing: **Kevin Usealman (aide)**

This file may be shown to any legislator: **NO**

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Gundrum@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Allow the use of blending in a public water system to enable compliance with the drinking water standard for radium

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	dkennedy 01/23/2004	kgilfoy 01/23/2004		_____			Local
/1	btradewe 01/27/2004	kgilfoy 01/27/2004	jfrantze 01/23/2004	_____	lemery 01/23/2004		Local

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	btradewe 02/16/2004	kgilfoy 02/16/2004	rschluet 01/27/2004	_____	Inorthro 01/27/2004	sbasford 01/30/2004 sbasford 01/30/2004	Local
/3	btradewe 03/10/2004	jdye 03/10/2004	chaugen 02/16/2004	_____	mbarman 02/16/2004 mbarman 02/16/2004	mbarman 02/16/2004 mbarman 02/16/2004	Local
/4			pgreensl 03/10/2004	_____	lemery 03/10/2004	lemery 03/10/2004	

FE Sent For:

<END>

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/1	btradewe 01/27/2004	kgilfoy 01/27/2004	jfrantze 01/23/2004	3/11/04 seeb	lemery 01/23/2004		Local

14 3/10 jld
3/11/04

Return of jacket requested

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/3			chaugen 02/16/2004	_____ _____ _____	mbarman 02/16/2004 mbarman 02/16/2004	mbarman 02/16/2004	

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1/3 - 2/16
Kmg
↓ ↓

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rschluet	_____
01/27/2004	_____

Inorthro	_____
01/27/2004	_____

sbasford
01/30/2004
sbasford
01/30/2004

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/1	btradewe 01/27/2004	kgilfoy 01/27/2004	jfrantze 01/23/2004	_____	lemery 01/23/2004		Local

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1?	dkennedy	1-1/23 Kmg	26/23	Self 1/23			

FE Sent For:

<END>

1/23/04 Request from Kevin Woodman (Gundrum's
Office) for assembly companion
bill to 03-3797/2, drafted
by RCT

TODAY, if possible

2003 - 2004 LEGISLATURE

4101/1
LRB-37972
RCT:kmg/pg
5/5/03

D-NOTE

2003 BILL

1 AN ACT to create 281.18 of the statutes; relating to: connection of water sources
2 producing water that contains radionuclides to public water systems.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Natural Resources (DNR) to promulgate by rule standards for methods to obtain pure drinking water for human consumption and safeguards necessary to protect public health against the hazards of polluted sources of water used for human consumption. The law also authorizes DNR to administer a Safe Drinking Water Program that is no less stringent than the requirements of the federal Safe Drinking Water Act. Under this authority, DNR has promulgated maximum contaminant levels for various substances in drinking water, including radionuclides. A radionuclide is a radioactive substance. DNR has also promulgated a rule that prohibits a water source (a well, for example) that produces water with a concentration of a substance that exceeds a maximum contaminant level from being connected to a public water system unless blending or treatment is provided so that the maximum contaminant level is not exceeded upon entry of the water to the distribution system.

This bill provides that DNR may not prohibit the connection of a water source that produces water with a concentration of radionuclides that exceeds a maximum contaminant level to a public water system if the maximum contaminant level is not exceeded at the point in the water distribution system at which water is sampled. The bill also requires DNR to allow the sampling to be conducted in the water distribution system at a point between the entry point of water from the water source and the service connection that is closest to that entry point if the samples taken are representative of the water normally provided to that service connection.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

4101/1
LRB-3797/2dn
RCT:kmg:pg
↑

~~January 14, 2004~~

Kevin Usealman

~~Ann Molitor:~~

I realized that in adding "or use" to the first sentence of proposed s. 281.18 (2), I needed to restructure the sentence in order to make it grammatically correct.

Please let me know if you have any questions or want any additional changes.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-4101/1dn
RCT:kmg:jf

January 23, 2004

Kevin Usealman:

I realized that in adding "or use" to the first sentence of proposed s. 281.18 (2), I needed to restructure the sentence in order to make it grammatically correct.

Please let me know if you have any questions or want any additional changes.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

Wed a.m.

2003 BILL

I'm not
run (so
this draft
can be brought
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maker)

1 **AN ACT to create** 281.18 of the statutes; **relating to:** connection of water sources
2 producing water that contains radionuclides to public water systems.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Natural Resources (DNR) to promulgate by rule standards for methods to obtain pure drinking water for human consumption and safeguards necessary to protect public health against the hazards of polluted sources of water used for human consumption. The law also authorizes DNR to administer a Safe Drinking Water Program that is no less stringent than the requirements of the federal Safe Drinking Water Act. Under this authority, DNR has promulgated maximum contaminant levels for various substances in drinking water, including radionuclides. A radionuclide is a radioactive substance. DNR has also promulgated a rule that prohibits a water source (a well, for example) that produces water with a concentration of a substance that exceeds a maximum contaminant level from being connected to a public water system unless blending or treatment is provided so that the maximum contaminant level is not exceeded upon entry of the water to the distribution system.

This bill provides that DNR may not prohibit the connection of a water source to a public water system on the grounds that the water source produces water with a concentration of radionuclides that exceeds a maximum contaminant level if the maximum contaminant level is not exceeded at the point in the water distribution system at which water is sampled. The bill also requires DNR to allow the sampling to be conducted in the water distribution system at a point between the entry point of water from the water source and the service connection that is closest to that entry

for Kevin:

2/16/04 Redraft to be like 03-3797/4

ket

Now

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2003 SENATE BILL

1 **AN ACT to create** 281.18 of the statutes; **relating to:** connection of water sources
2 producing water that contains radium 225, radium 228, or gross alpha particle
3 radioactivity to public water systems.

Analysis by the Legislative Reference Bureau

Current law requires the Department of Natural Resources (DNR) to promulgate by rule standards for methods to obtain pure drinking water for human consumption and safeguards necessary to protect public health against the hazards of polluted sources of water used for human consumption. The law also authorizes DNR to administer a Safe Drinking Water Program that is no less stringent than the requirements of the federal Safe Drinking Water Act. Under this authority, DNR has promulgated maximum contaminant levels for various substances in drinking water, including radium 226 and 228 and gross alpha particle radioactivity. Gross alpha particle radioactivity is total radioactivity due to alpha particle emissions. DNR has also promulgated a rule that prohibits a water source (a well, for example) that produces water with a concentration of a substance that exceeds a maximum contaminant level from being connected to a public water system unless blending or treatment is provided so that the maximum contaminant level is not exceeded upon entry of the water to the distribution system.

This bill provides that DNR may not prohibit the connection of a water source to a public water system on the grounds that the water source produces water with a concentration of radium 226 and 228 or gross alpha particle radioactivity that exceeds a maximum contaminant level if the maximum contaminant level is not

SENATE BILL

exceeded at the point in the water distribution system at which water is sampled. The bill also requires DNR to allow the sampling to be conducted in the water distribution system at a point between the entry point of water from the water source and the service connection that is closest to that entry point if the samples taken are representative of the water normally provided to that service connection.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 281.18 of the statutes is created to read:

2 **281.18 Connection of water sources producing water that contains**
3 **certain radionuclides to public water systems.** (1) In this section, "public
4 water system" has the meaning given in s. 281.61 (1) (c).

5 (2) Notwithstanding the authority given to the department by ss. 280.11 (1)
6 and 281.17 (8), the department may not prohibit the connection to a public water
7 system of a water source on the grounds that the water source produces water with
8 a concentration of combined radium 226 and radium 228 or gross alpha particle
9 radioactivity that exceeds a maximum contaminant level established by the
10 department by rule or prohibit the use of such a water source on those grounds if the
11 maximum contaminant level is not exceeded at the point in the distribution system
12 at which water is sampled. The department shall allow the sampling to be conducted
13 in the distribution system at a point between the entry point of water from the water
14 source and the service connection that is closest to that entry point if the samples
15 taken are representative of the water normally provided to the service connection
16 that is closest to the entry point. The person operating the public water system shall
17 conduct sampling during any calendar quarter in which the water source is used and
18 shall conduct the sampling while the water source is being used.

SENATE BILL**SECTION 2. Nonstatutory provisions.**

(1) REOPENING CONSENT AGREEMENTS. If, before the first day of the 12th month beginning after the effective date of this subsection, the operator of a public water system that entered into a consent agreement with the department of natural resources concerning compliance with a maximum contaminant level for combined radium 226 and radium 228 or gross alpha particle radioactivity requests the department to reopen the consent agreement so that the operator may use section 281.18 of the statutes, as created by this act, to achieve compliance with the maximum contaminant level, the department shall reopen the consent agreement.

(END)

Now

Assembly

2003 ~~SENATE~~ BILL

-4101/4

LRB487975

RCT:king:pg

stays note source
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Regen

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This bill provides that DNR may not prohibit the connection of a water source to a public water system on the grounds that the water source produces water with a concentration of radium 226 and 228 or gross alpha particle radioactivity that exceeds a maximum contaminant level if the maximum contaminant level is not

SENATE BILL

exceeded at the point at which water is sampled, based on an annual average of four samples, one taken each calendar quarter. The bill also requires DNR to allow the sampling to be conducted in the well discharge line at a point between the entry point of water from the water source if the samples taken are representative of the water normally provided to the closest service connection.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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2 **281.18 Connection of water sources producing water that contains**
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8 a concentration of combined radium 226 and radium 228 or gross alpha particle
9 radioactivity that exceeds a maximum contaminant level established by the
10 department by rule or prohibit the use of such a water source on those grounds if the
11 maximum contaminant level is not exceeded at the point in the distribution system
12 at which water is sampled, based on an annual average of 4 samples, one taken each
13 calendar quarter. The department shall allow the sampling to be conducted in the
14 well discharge line at a point before the connection to the distribution system if the
15 samples taken are representative of the water normally provided to the service
16 connection that is closest to the entry point. If the water source is used during a
17 calendar quarter, the person operating the public water system shall conduct the
18 sampling while the water source is being used.

SENATE BILL1 **SECTION 2. Nonstatutory provisions.**

2 (1) REOPENING CONSENT AGREEMENTS. If, before the first day of the 12th month
3 beginning after the effective date of this subsection, the operator of a public water
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5 resources concerning compliance with a maximum contaminant level for combined
6 radium 226 and radium 228 or gross alpha particle radioactivity requests the
7 department to reopen the consent agreement so that the operator may use section
8 281.18 of the statutes, as created by this act, to achieve compliance with the
9 maximum contaminant level, the department shall reopen the consent agreement.

10

(END)